



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#27
A2N9S
12/11/02

In re
Application of: Howard Tanner et al.
Serial No.: 09/108,189 Examiner: J. Thissel
Filed: July 1, 1998 Group: 3763
For: AN INTRODUCER SHEATH FOR USE DURING A SURGICAL
PROCEDURE
Attorney Docket #: 23660-00611

RESPONSE

RECEIVED

DEC - 9 2002

TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated November 5, 2002, please consider the following remarks regarding the above-referenced patent application.

REMARKS

In the Office Action, the Examiner noted that Claims 104-109 and 115-126 are pending in the application. Claims 104-109 and 115-126 are subject to restriction and/or election requirement. Applicant respectfully requests consideration of the following remarks.

I. ELECTION TO GROUPS I AND II

The Inventions of Group I drawn to an introducer sheath device and Group II drawn to a method of repairing an aneurysm are related as products and process of use. In compliance with the restriction, an election with traverse is made to prosecute the invention of Group II, claims 115-126. Group I, claims 104-109 are withdrawn from further consideration. Applicant reserves the right to file a divisional application directed to the non-elected claims.